

September 18, 2007



Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Presentation in WT Docket No.
06-150

Dear Ms. Dortch:

On September 17, 2007, Harold Feld and Andrew Jay Schwartzman of the Media Access Project met with Chairman Martin, Aaron Golberger, wireless advisor to the Chairman, and Fred Campbell, Chief of the Wireless Bureau, with regard to the above captioned matter.

MAP Staff stated that nothing in the 700 MHz Order permitted the C Block licensee to deny attachment to a device because something intrinsic to the device prevents it from running a particular application or software. Thus, for example, an iPhone that otherwise met the technical specifications for attachment to the network could not be rejected by the network provider because it did not also allow a the user to download Windows Media Player onto the device. On the other hand, the Order would explicitly prevent the C Block licensee from charging any additional fee for connecting such a device, or requiring that a device come equipped with or capable of supporting specific applications not relevant to the specifications necessary for authentication.

A reading of the plain language of the Order makes clear that the Commission intended to replicate, as far as possible, the existing state of affairs in the wireline world. Just as a DSL provider's obligation to allow any network attachment under the existing broadband principles does not allow a DSL provider to reject an Apple Powerbook because it does not support Windows applications, or allow a DSL operator to charge extra for a Windows Machine to attach, the C Block licensee must remain utterly agnostic with regard to the capacities of the device the consumer selects and attaches.

Similarly, the C Block licensee may offer parental controls and security features

on an opt-in basis. Although such services might block access to content or features of a device connected to the network, it would do so with the Consumer's full consent. By contrast, a C Block licensee could not mandate parental controls or require a device to include particular parental controls. This will encourage device manufacturers to develop their own, separate parental controls that may better reflect the needs of particular parents or communities.

In accordance with Section 1.1206(b) of the Commission's Rules, 47 CFR §1.1206, this letter is being filed with your office.

Respectfully submitted,

/s/

Harold Feld
Senior Vice President

cc: Chairman Martin
Aaron Goldberger
Fred Campbell